

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FEB 24 2006

CATHY A. SATTERSON, CLERK
U.S. COURT OF APPEALS

MAR 23 2006

CLERK U.S. DISTRICT COURT
ANCHORAGE, ALASKA

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MIGUEL A. CHAVEZ,

Defendant - Appellant.

No. 05-30311

D.C. No. CR-03-00171-JKS

District of Alaska,
Anchorage

ORDER

Before: SCHROEDER, Chief Judge, GOODWIN and RAWLINSON, Circuit Judges.

Appellee's motion to dismiss this appeal in light of the valid appeal waiver is granted. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000) (stating that an appeal waiver is valid when it is entered into knowingly and voluntarily); *see also United States v. Cardenas*, 405 F.3d 1046, 1048 (9th Cir. 2005) (holding that the changes in sentencing law imposed by *United States v. Booker*, 125 S. Ct. 738 (2005), do not render waiver of appeal involuntary and unknowing).

DISMISSED

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